

Atty. Docket No.: CSHE.P004

*Patent*RECEIVED
CENTRAL FAX CENTER

JAN 16 2007

REMARKS

Claim 1-44 are pending the application. Claims 1, 3, 4, 7, 8, 11, 13, 15-16, 19, 20, 24, 31, 33, and 39 have been amended. Claims 45-72 are added herein. No claims have been allowed.

Rejection under 35 U.S.C. § 102

Claims 1-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by Gross. (U.S. Patent No. 6,721,716). Applicants respectfully submit that the claims as amended are not anticipated by Gross.

Gross discloses an electronic statement, bill presentment and payment system and method that include a customer client software program and client database, and a biller server software program and server database connected over an electronic information network. A customer enrolls with a biller by communicating a request between the client and server programs including information about a funding account. The biller confirms customer account information and verifies the funding account and updates the status of the enrollment request to the customer. Electronic bill summary and/or detail information is communicated to or polled from the biller server and consolidated at the customer client software. The customer may then retrieve bill summary and/or detail information and/or communicate payment instructions authorizing an electronic transfer from the funding account to the biller. In addition, a payment certification string including funding account information is generated and transmitted to a validation server which confirms the payment instructions. (Abstract).

Gross discloses an electronic payment system and method for processing payments from a checking account or other funding account using a payment certification string comprising funding account information of a customer, and validation information of a certifying authority. (Column 2, lines 14-21).

Gross is limited to describing a client application as defined at column 6, lines 42-64, e.g. "Client: This is the software that runs on a user's computing platform, which platform may include a personal computer (PC), a workstation on a network, a

Atty. Docket No.: CSHE.P004

Patent

personal digital assistant (PDA), Web TV or the like." Figures 1-5 also illustrate that the disclosure is limited to direct communication between a client application in a user computer and financial institutions via a network.

The client application communicates directly with the institution that will be involved with the desired transaction. When funds are transferred, they are transferred directly from the funding account to the institution. For example, the institution may be a billing institution or entity that the user wishes to pay.

To use the system to transfer funds, the client application generates (in response to input from the customer) an electronic payment instruction authorizing payment to a biller or vendor from the validated source of funds. In the preferred embodiment, the customer, at the time of using the client application to make a payment, must enter their password to enable the client application to generate the payment instructions. This secures the system to ensure that only the owner of the funding account information is able to use the payment certification string to effectuate a transfer of funds. The electronic payment instruction includes the funding account information extracted from said payment certification string if the validation indicating portion indicates that the funding account information is valid. Finally, the client application transmits the electronic payment instruction to the biller; and the biller processes the electronic payment instruction and receives payment from the said source of funds. (Column 4, line 60-column 5, line 11).

Applicants respectfully submit that Gross fails to teach or suggest at least one element of claim 1, which is reproduced below (as amended).

A method comprising:
receiving user information from a user, wherein the user information comprises identification information and account access information;
accessing a user account using the received access information;
obtaining user information from third parties using the received user information; and
authenticating the user's ability to access the account based on the obtained information, wherein authenticating comprises verifying the user's identity by comparing user information received with user information obtained.

Atty. Docket No.: CSHE.P004

Patent

Gross does not teach or disclose at least obtaining user information as claimed or authenticating as claimed. In contrast, Gross teaches the client software on the user's computer sending all of the required information to an entity such as a biller. The biller uses that information to pay the user's bill from an account designated by the user. There is no teaching regarding authenticating any of the information by comparing it to information obtained from third parties. For these reasons, Applicants respectfully submit that claim 1 and its dependent claims 2-12 are not anticipated by Gross.

Claim 13 recites:

A method comprising:
receiving financial account access information from a user
regarding a user account at a financial institution;
obtaining information regarding the financial account from a
financial data source; and
authenticating the user's ability to access the financial account
based on the obtained information, comprising comparing the information
received from the user to the information obtained from the financial data
source, wherein the financial data source is a third party separate from the
financial institution.

(Claim 13 as amended).

Applicants respectfully submit that Gross fails to teach or suggest at least obtaining information as claimed and authenticating as claimed. Therefore, Applicants respectfully submit that claim 13 and its dependent claims 14-23 are not anticipated by Gross.

Claim 24 recites:

A method of authenticating a user's ability to access a financial
account, the method comprising:
making a first transfer associated with the financial account,
wherein the first transfer is executed by a financial management system
coupled between a user computer and a plurality of financial institutions;
requesting the user to identify the amount of the first transfer;
confirming the user's ability to access the financial account if the
user correctly identifies the amount of the first transfer; and
denying the user's ability to access the financial account if the user
does not correctly identify the amount of the first transfer.

(Claim 24 as amended).

Atty. Docket No.: CSHE.P004

Patent

Applicants respectfully submit that Gross fails to teach or suggest at least making a first transfer as claimed and requesting the user to identify the amount of the first transfer. Therefore, Applicants respectfully submit that claim 24 and its dependent claims 25-30 are not anticipated by Gross.

Claim 31 recites:

A computer implemented method comprising:
receiving account access information from a user;
receiving user identification information from the user;
obtaining information regarding the account, comprising obtaining information from a third party source using the account access information received from the user;
comparing the information obtained regarding the account with the identification information received from the user; and
authorizing the user to access the account if the information obtained regarding the account matches the identification information received from the user.

(Claim 31 as amended).

Applicants respectfully submit that Gross fails to teach or suggest at least obtaining and comparing as claimed. Therefore, Applicants respectfully submit that claim 31 and its dependent claims 32-38 are not anticipated by Gross.

Claim 39 recites:

A method comprising:
a financial management system receiving account information from a user, wherein the account can be accessed via an online connection, wherein the financial management system is coupled among a user device and a plurality of financial institutions via a network;
the financial management system receiving user identification information from the user;
the financial management system obtaining information regarding the account via an online connection, wherein the information is obtained from one or more sources via the network;
the financial management system comparing the information obtained regarding the account with the identification information received from the user; and
the financial management system authorizing the user to execute actions with respect to the account if the information obtained regarding the account matches the identification information received from the user.

(Claim 39 as amended).

Atty. Docket No.: CSHE.P004

Patent

Applicants respectfully submit that Gross fails to teach or suggest financial management system receiving account information as claimed. Gross further fails to teach the financial management system obtaining or the financial management system comparing as claimed. Therefore, Applicants respectfully submit that claim 39 and its dependent claims 40-44 are not anticipated by Gross.

Applicants respectfully submit that new claims 45-72 are not anticipated by Gross.

Applicants respectfully submit that the Gross disclosure fails to teach or suggest the claimed invention, which includes:

A user authentication method for allowing the user access to a user account at one of a plurality of financial institutions, the method comprising:

a third-party financial management system collecting user information;

the third-party financial management system collecting user financial account information, wherein the third-party financial management system is coupled among the user and the plurality of financial institutions via at least one network;

the third-party financial management system collecting information about the plurality of financial institutions;

defining a set of authentication rules to authenticate the user;

the third-party financial management system receiving a request from the user to access a user account, wherein the request includes authentication information from the user;

the third-party financial management system applying the authentication rules to determine whether to authenticate the user;

when the user is successfully authenticated, retrieving risk information related to the user, wherein risk information comprises historical data related to user transactions;

when the user is successfully authenticated, the third-party financial management system determining whether to allow access to the user account, wherein access includes the third-party financial management system executing a requested transaction on behalf of the user.

(claim 45).

Gross fails to disclose at least a third-party financial management system collecting user information, or a third-party financial management system collecting

Atty. Docket No.: CSHE.P004

Patent

user financial account information, wherein the third-party financial management system is coupled among the user and the plurality of financial institutions via at least one network. Gross further fails to disclose a third-party financial management system determining whether to allow access to the user account, wherein access includes the third-party financial management system executing a requested transaction on behalf of the user. In contrast to the claimed elements, Gross teaches a client software program transmitting information that enables a transfer of funds between a funding account and an institution without any third party financial management system or equivalent. Because Gross fails to disclose at least one claimed element, Applicants respectfully submit that claim 45 and its dependent claims 46-50 are not anticipated by Gross.

Claims 52-66 are directed to a financial management system. Gross fails to a financial management system or equivalent. Gross further fails to disclose at least a communication interface through which the financial management system communicates via at least one network with a plurality of financial institutions and with a user device. For this reason alone, claim 52 and its dependent claims 53-66 are not anticipated by Gross.

Claims 67-72 are directed to a computer-readable medium. Claims 67-72 include various limitations as recited in claims 45-51, including limitations cited above and distinguished from Gross. Therefore Applicants respectfully submit that claims 67-72 are not anticipated by Gross for the same reasons given above with reference to claims 45-51.

CONCLUSION

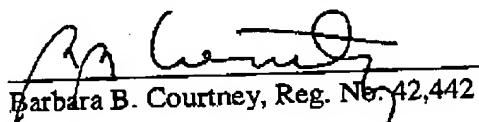
In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-72 are in condition for allowance. The allowance of the claims is earnestly requested. The Examiner is invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the claims.

Atty. Docket No.: CSHE.P004

*Patent*RECEIVED
CENTRAL FAX CENTER**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT****JAN 16 2007**

Please charge deposit account 503616 for any fees due and not already paid
herewith.

Respectfully submitted,
Courtney Staniford & Gregory LLP


Barbara B. Courtney, Reg. No. 42,442

Courtney Staniford & Gregory LLP
P.O. Box 9686
San Jose, CA 95157
Tel: 408-342-1902
Fax: 408-342-1909